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| 09/894,182 | 06/28/2001 | Masayuki Chatani | PA1716US | 5313 |
| 22830 | 7590 | 04/28/2005 | EXAMINER | |
| CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303 | | | WANG, LIANG CHE A | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/894,182

Applicant(s)

CHATANI, MASAYUKI

Examiner

Liang-che Alex Wang

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 31-73 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08).
Paper No(s)/Mail Date 11/22/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-30 are presented for examination.
2. Claims 31-73 are withdrawn with traverse from Remarks filed on 12/17/2004.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Chatani et al., US Publication Number 2002/0104019, hereinafter Chatani.
5. Referring to claim 1, Chatani has taught a system for use in a network, comprising:
 - a. a user console (figure 1, item 114);
 - b. a disc storage medium (figure 1, item 124) including a permanently recorded disc identification (page 3 [0024], lines 9-11), the disc storage medium (item 122, figure 1) being readable by the user console (page 3 [0023], lines 17-21), wherein the user console is operable to transmit the disc identification over the network (Network 108) (page 5 [0043] lines 13-24. Figure 2B, steps 224-228, and Figure 3A, steps 310 shows ID number for the products and the user memory card is encrypted into the user public key and transmitted to server at step 228); and

- c. a host server in the network (figure 1 item 102), the host server being configured to receive the disc identification (figure 2B, step 224) and configured to assign points to a point account associated with the disc identification (figure 2B step 240).
6. Referring to claim 2, Chatani has further taught wherein the user console includes a set identification that uniquely identifies the user console (Figure 2B steps 228, 229).
7. Referring to claim 3, Chatani has further taught wherein the user console includes a user identification that identifies a user of the user console (Figure 2B steps 224-232).
8. Referring to claim 4, Chatani has further taught a user database (figure 1, item 104) accessible by the host server, the user database including a user table associated with the user identification, the user table including the point account, the point account being further associated with the user identification (page 3 [0027] lines 20-23, page 2 [0019] lines 7-15, user profiles are stored in user database).
9. Referring to claim 5, Chatani has further taught a user database accessible by the host server, the user database including a user table associated with the set identification, the user table including the point account, the point account being further associated with the set identification (page 3 [0027] lines 20-23, page 2 [0019] lines 7-15, user profiles are stored in user database).
10. Referring to claim 6, Chatani has further taught wherein the user console transmits the disc identification and the user identification to the host server for authorization to execute software residing on the disc storage medium (figure 2B steps 224-242).

11. Referring to claim 7, Chatani has further taught wherein the user console transmits the disc identification and the set identification to the host server for authorization to execute software residing on the disc storage medium (figure 2B steps 224-242).
12. Referring to claim 8, Chatani has further taught wherein the host server compares the disc identification to a plurality of disc identifications stored in the user table associated with the user identification, and compares the disc identification with a plurality of disc identifications stored in other user tables associated with other user identifications (page 6 [0046], sever retrieves information from database based on the ID number).
13. Referring to claim 9, Chatani has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the user table associated with the user identification, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium, assigns points to the point account of user table associated with the disc identification and the user identification, and transmits point information to the user console (figure 2B steps 224-240).
14. Referring to claim 12, Chatani has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table does not indicate owner consent, the host server transmits an access refusal signal to the user console whereby the user console cannot execute software residing on the disc storage medium (page 6 [0045] the server verifies if the user is authorized).

15. Referring to claim 13, Chatani has further taught wherein if the disc identification does not match any disc identifications stored in any user table, the host server transmits to the user console an access permission signal to execute software residing on the disc storage medium (Figure 3 A steps 302), assigns points to the point account of user table associated with the user identification, and transmits point information to the user console (Figure 2 B step 240).
16. Referring to claim 14, Chatani has further taught wherein the host server records the disc identification to the user table associated with the user identification (page 2 [0019] lines 7-15).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
18. Claims 15-16, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatani in views of Clenaghan et al., US Publication Number 2002/0052816 A1, hereinafter Clenaghan.
19. Referring to claim 15, Chatani has taught all the claim limitation (see figure 2B) except the sub-account.
- However, Clenaghan has taught each primary account allows for the creation of sub-accounts (Page 2 [0011] lines 10-11).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the sub-account of Clenaghan in Chatani such that to have the sub-account associated with the disc identification because both Chatani and Clenaghan has both taught account managed and maintained in the servers (Chatani, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11).

A person with ordinary skill in the art would have been motivated to make the modification to Chatani because sub-accounts allows user to access to different systems as taught by Clenaghan (page 2 [0011] lines 7-10).

20. Referring to claim 16, Chatani as modified has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the user table associated with the user identification, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium, assigns points to the sub-account of disc table associated with the disc identification, and transmits point information to the user console (figure 2B steps 224-240)
21. Referring to claim 19, Chatani as modified has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table does not indicate owner consent, the host server transmits an access refusal signal to the user console whereby the user console cannot execute software residing on the disc storage medium (page 6 [0045] the server verifies if the user is authorized).

22. Referring to claim 20, Chatani as modified has further taught wherein if the disc identification does not match any disc identifications stored in any user table, the host server transmits to the user console an access permission signal to execute software residing on the disc storage medium and transmits point information to the user console (Figure 2 B step 240).
23. Referring to claim 21, Chatani as modified has further taught wherein the host server records the disc identification to the disc table (Page 2 [0019] lines 7-15.)
24. Referring to claim 22, Chatani as modified has further taught wherein the host server assigns points to the sub-account of the disc table associated with the disc identification (Figure 2B steps 240).
25. Claims 10-11, 17-18, 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatani in views of Clenaghan and in further views of Matsuo et al., US Publication Number 2001/0042021 A1, hereinafter Matsuo.
26. Referring to claim 10, Chatani has taught all the limitation described in claim 10 (figure 2B) except the limitation of other user tables associated with other user identifications.

However, Clenaghan has taught each primary account allows for the creation of sub-accounts (other user identification) (Page 2 [0011] lines 10-11).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the sub-account of Clenaghan in Chatani such that to have the sub-account associated with the disc identification because both Chatani and Clenaghan has both taught account managed and maintained in the servers (Chatani, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11).

A person with ordinary skill in the art would have been motivated to make the modification to Chatani because sub-accounts allows user to access to different systems as taught by Clenaghan (page 2 [0011] lines 7-10).

Furthermore, Matsuo has taught when the number of accounts increases, the number of database servers and account databases will be increased (page 9 [0150] lines 11-13.)

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to increase the numbers of user tables to associate with other user identification in Chatani's system because both Chatani as modified and Matsuo has both taught account managed and maintained in the servers (Chatani, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11, and Matsuo page 9 [0150]).

A person with ordinary skill in the art would have been motivated to make the modification to Chatani because as the number of data of the account database increases, the load increases, which leads to impeding a rapid access. Therefore having the increase of databases and data servers will divide the workload of data and control the system more sufficiently as taught by Matsuo (page 9 [0150]).

27. Referring to claim 11, Chatani as modified has further taught wherein the host server assigns points to a point account of the user table associated with the user identification (Figure 2B steps 240).
28. Referring to claims 17-18, claims 17-18 encompass the same scope of the invention as that of the claims 10-11. Therefore, claims 17-18 are rejected for the same reason as the claims 10-11. (see rejections to claims 10 and 11).

29. Referring to claim 23, Chatani has taught all the limitation described in claim 23 (figure 2B) except the limitation of plurality of plurality of publisher servers with plurality of databases and sub-accounts.

However, Clenaghan has taught each primary account allows for the creation of sub-accounts (other user identification) (Page 2 [0011] lines 10-11).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the sub-account of Clenaghan in Chatani such that to have the sub-account associated with the disc identification because both Chatani and Clenaghan has both taught account managed and maintained in the servers (Chatani, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11).

A person with ordinary skill in the art would have been motivated to make the modification to Chatani because sub-accounts allows user to access to different systems as taught by Clenaghan (page 2 [0011] lines 7-10).

Furthermore, Matsuo has taught when the number of accounts increases, the number of database servers and account databases will be increased (page 9 [0150] lines 11-13.)

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to increase the numbers of databases and data servers in Chatani's system because both Chatani as modified and Matsuo has both taught account managed and maintained in the servers (Chatani, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11, and Matsuo page 9 [0150]).

A person with ordinary skill in the art would have been motivated to make the modification to Chatani because as the number of data of the account database increases, the load increases, which leads to impeding a rapid access. Therefore having the increase of databases and data servers will divide the workload of data and control the system more sufficiently as taught by Matsuo (page 9 [0150]).

30. Referring to claim 24, Chatani has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the user table associated with the user identification, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium and transmits point information to the user console, and the publisher server of the publisher database associated with the disc identification assigns points to the sub-account of the publisher database associated with the disc identification (figure 2B steps 224-240).
31. Referring to claims 25-26, claims 25-26 encompass the same scope of the invention as that of the claims 17-18. Therefore, claims 25-26 are rejected for the same reason as the claims 17-18. (see rejections to claims 17 and 18).
32. Referring to claim 27, Chatani as modified has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table does not indicate owner consent, the host server transmits an access refusal signal to the user console whereby the user console cannot execute software residing on the disc storage medium (page 6 [0045] the server verifies if the user is authorized).


33. Referring to claim 28, Chatani as modified has further taught wherein if the disc identification does not match any disc identifications stored in any user table, the host server transmits to the user console an access permission signal to execute software residing on the disc storage medium and transmits point information to the user console (figure 3A step 302, figure 2B step 240).
34. Referring to claim 29, Chatani as modified has further taught wherein the publisher server of the publisher database associated with the disc storage medium identified by the disc identification records, the disc identification to the publisher database associated with the disc storage medium identified by the disc identification (page 2 [0019] lines 7-15).
35. Referring to claim 30, Chatani as modified has further taught wherein the publisher server of the publisher database associated with the disc identification assigns points to the sub-account of the publisher database associated with the disc identification (figure 2B step 240).

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
38. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
39. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *lcw*
April 19, 2005

 **JOHN FOLLANSBEE**
SUPERVISORY PATENT EXAMINER
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